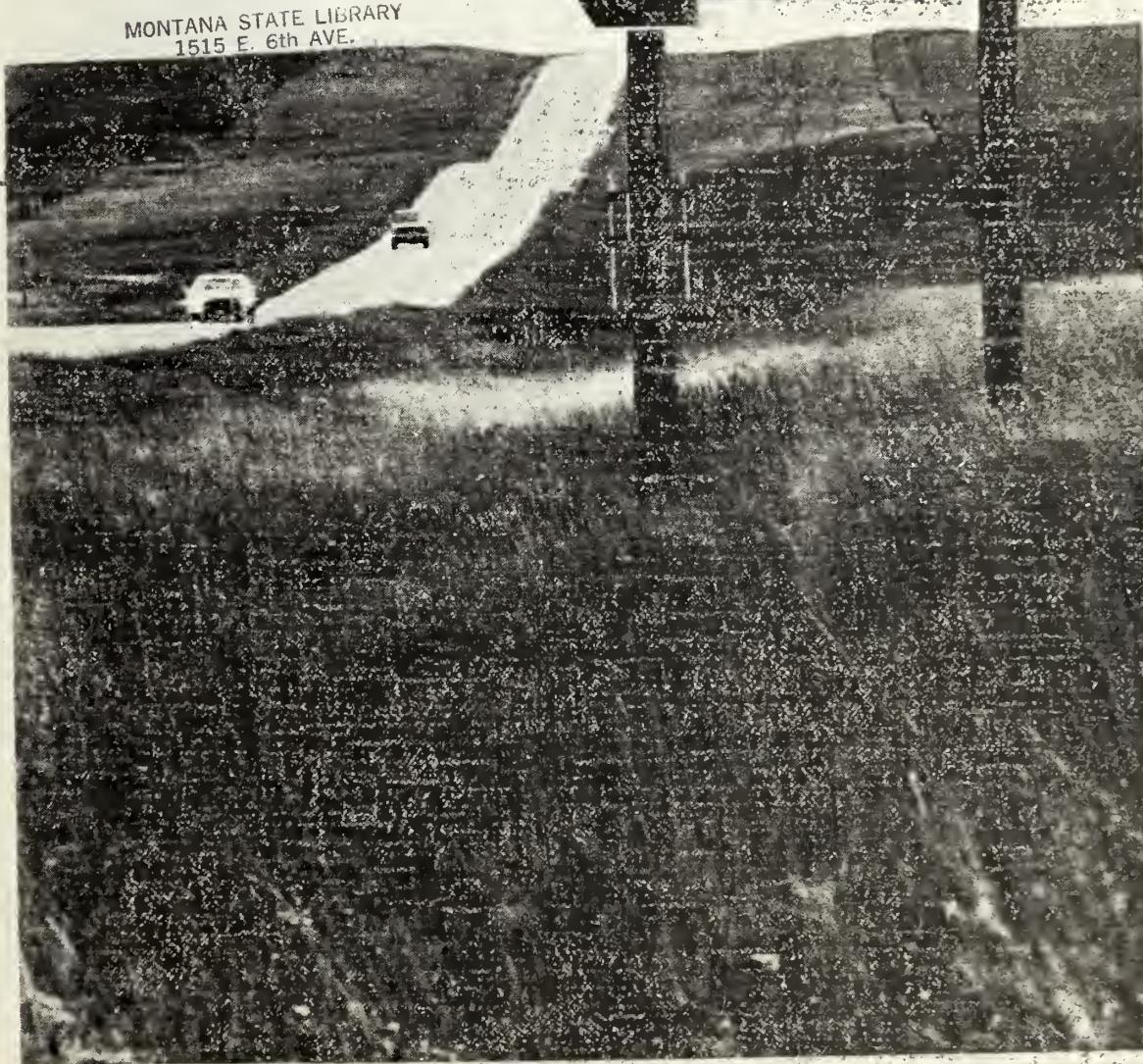


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PREFACE

This report is in response to House Bill 607 passed by the 50th Legislature. Input from the public and private sector and from motorists was gathered over a nine month period.

This report is presented in three volumes. Volume Two contains the computer inventory of all official highway signs along interstate and primary routes in Montana. The inventory includes all green and white directional, blue and white service and brown and white recreational signs as well as historical markers and Fish, Wildlife and Park signs. No master list exists for billboards and they are not included in this inventory.

Volume Three contains the public written response and tapes of the public meetings concerning the highway signing project. Only one copy exists of Volumes Two and Three and is on file with the Legislative Council.

This volume contains all interpretation of results and input plus recommendations.



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## INTRODUCTION

Montana's highways are the critical link between destinations. We depend on these threads of asphalt to get us to our neighbors, the market and where ever we want to go. In addition, ninety percent of nonresident visitors arrive by car and are users of the Montana highway system. But it is the signs along the system which direct us and lead us to our destination or to necessary services along the way. Motorists expect the sign system to be clear and concise. Standing upright above the pavement, signs are the major visible feature of our highway system. To a great extent they can enhance or detract from "the look" of Montana.

Businesses along or near the highways would naturally like to promote their products or services to these motorists and in the extreme "would like the yellow line painted directly to their door." It is clear that without regulation every business and cause would erect a sign along our highways.

The highway system in America is designed to move people and goods from point A to point B. The system is designed to do this as quickly, efficiently and safely as possible. Highway signs are erected to facilitate this task. The **Manual on Uniform Traffic Control Devices** (MUTCD) has been adopted by all 50 states as the "bible" of highway signing. The MUTCD spells out in specific and absolute terms what "shall", "should" and "may" be signed along the highway right-of-way. By deletion or sometimes



in explicit terms the MUTCD also defines what shall not be signed in the right-of-way. Page 1A-1 (the first page in the manual) states:

"1A-1 Purpose of Traffic Control Devices

The purpose of traffic control devices and warrants for their use is to help insure highway safety by providing for the orderly and predictable movement of all traffic, motorized and non-motorized, throughout the national highway transportation system, and to provide such guidance and warnings as are needed to insure the safe and informed operation of individual elements of the traffic stream.

Traffic control devices are used to direct and assist vehicle operators in the guidance and navigation tasks required to traverse safely any facility open to public travel.

Guide and information signs are solely for the purpose of traffic control and are not an advertising medium."

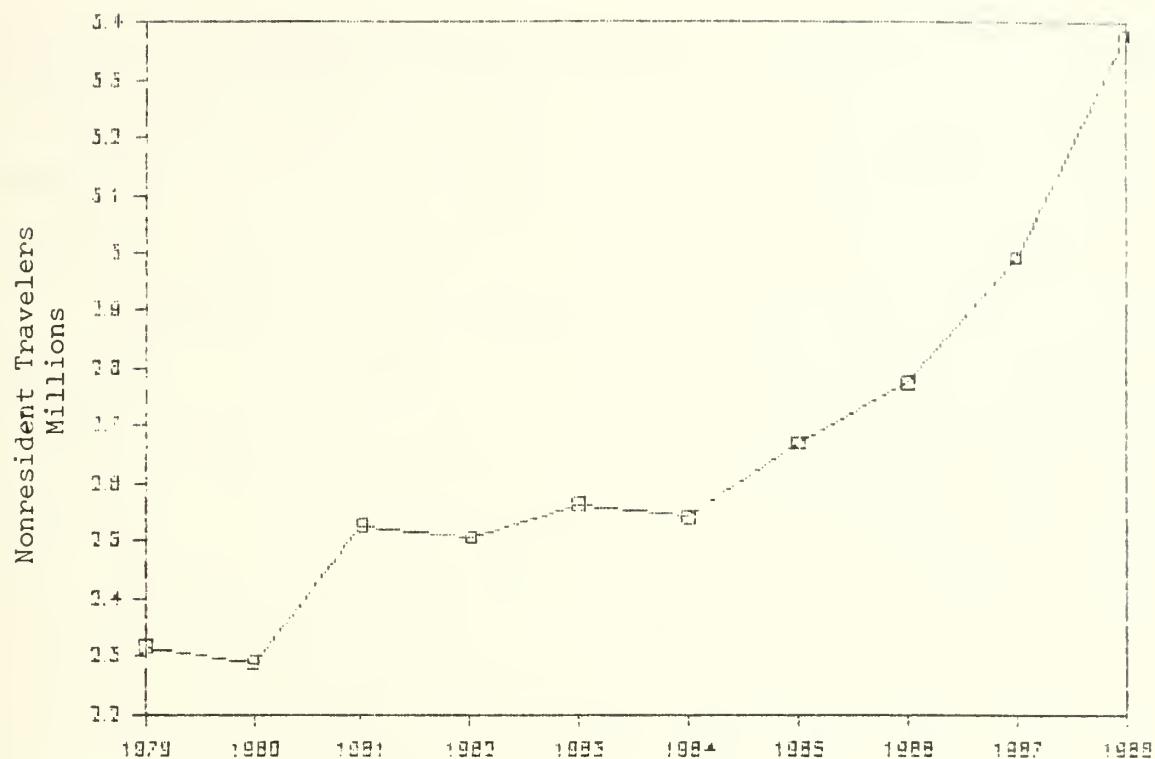
It is the interplay between the role of the highway system, the motorist and the roadside businesses which this report explores. It is the goal of highway system to "get people where they want to go" and it is the goal of this report to suggest ways to better accomplish this.

Americans are traveling more and more. Montana has seen a steady growth in the number of nonresident visitors, especially in the summer months (see Illustration One). Concurrently, the

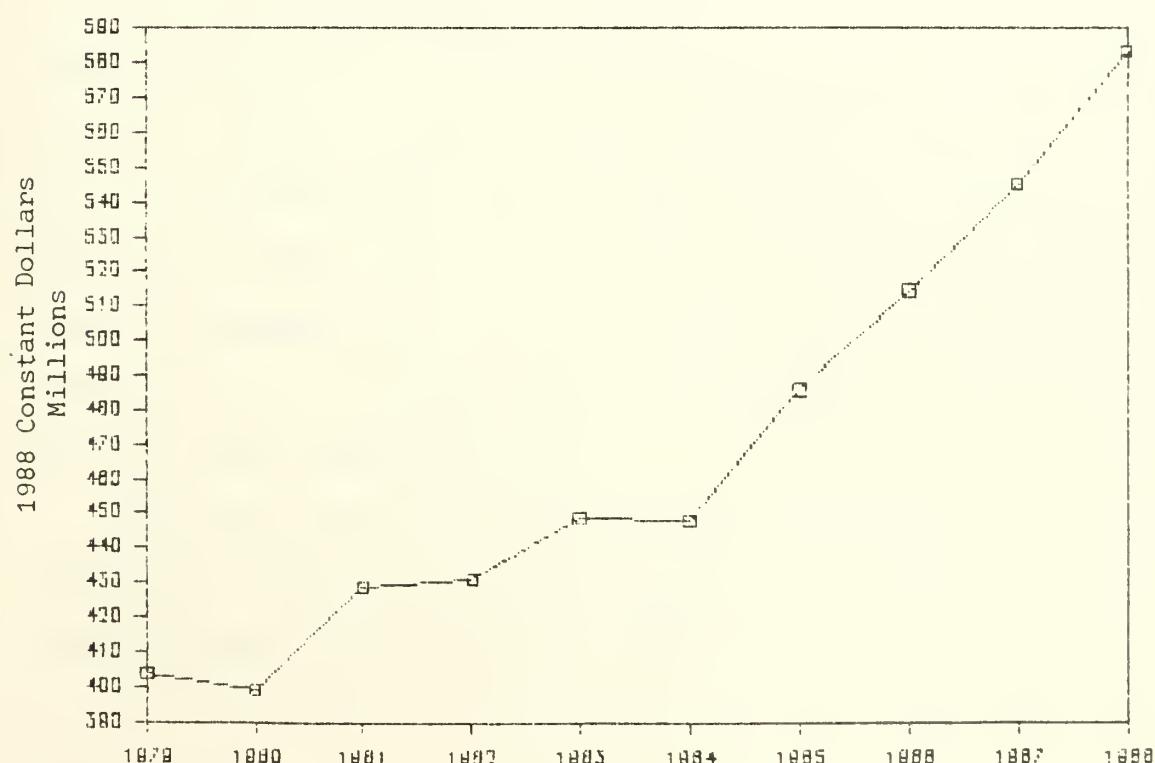


ILLUSTRATION ONE

Number of Nonresident Travelers



Nonresident Travel Expenditures





number of Montana businesses servicing these travelers has risen. Travel and tourism has become an important economic force in Montana -- 3.3 million nonresident visitors left \$560 million in Montana before going home.

Communities and businesses wanting to promote their goods and services are the parties most dissatisfied with the current highway signing system. The Montana Highway Department has been prudent in its compliance with the federal Highway Beatification Act, removing illegal signs and not allowing nonconforming signs. Noncompliance with the Highway Beautification Act results in a penalty of a percentage of federal highway funds. While other states have pursued supplemental highway signing programs such as Logo and TODS (explained later) under the notion that directing motorists to tourist attractions, along scenic routes and even to gift shops enhances motorist safety, Montana has remained conservative in its interpretations of the MUTCD. In some cases, such as cultural attraction signing, the Highway Department has not approved signs which clearly may be allowed under MUTCD guidelines. The signing policies of the Montana Highway Department are generally consistent and are uniformly conservative -- a highly defensible position in a state with high scenic values such as Montana.

House Bill 607 was drafted after communities and roadside businesses complained that the Highway Department was being overly conservative and restrictive. Thus, the Commerce



Department was directed to complete "a statewide inventory of and a comprehensive plan for a system of highway signs." (see Appendix One).



## WHO'S INVOLVED IN HIGHWAY SIGNING IN MONTANA?

### Federal Government

**On Right-of-Way.** The United States Department of Transportation has long recognized the need for uniform signing along all public roads to insure public safety. Under the authority granted by the U.S. Congress in 1966, the Secretary of Transportation has decreed that traffic control devices on all streets and highways in each State shall be in substantial conformance with standards issued or endorsed by the Federal Highway Administrator. In 1978 the Federal Highway Administration developed the **Manual on Uniform Traffic Control Devices** (MUTCD) to supersede all previous regulations. The MUTCD serves as the National Standard for signing within the right-of-way of all classes of streets and public highways regardless of the governmental agency having jurisdiction. The MUTCD is updated regularly, most recently in 3/86.

The MUTCD explicitly states what "shall," "should" and "may" be signed. Sometimes by exclusion and sometimes in explicit terms the MUTCD also states what shall not be signed. Montana is generally in compliance with the "shall" and "should" conditions as outlined in the MUTCD. It is signs covered by the "may" condition which are clearly at the discretion of the Montana Highway Department and ultimately the legislature where there is much work that can be done. May conditions cover scenic,



recreational, specific service, general service and cultural signing.

**Off Right-of-Way.** By the mid 60's the need for businesses to advertise had created what was perceived as a blight along the nations roadways. The proliferation of roadside advertising not only detracted from views but interfered with directional and safety official highway signing. The Highway Beautification Act of 1965 sought to control billboards and junk yards along the interstate and primary federal-aid highway system in America. The Act required states develop legislation to comply with a set of national standards in order to receive federal highway funds. These standards included essentially a moratorium on open road billboard advertising.

#### Montana Highway Department

**On Right-of-Way.** As directed by the U.S. Congress, the Montana Highway Department has adopted the MUTCD as its official set of signing guidelines. As the MUTCD has also become the legal standard for safe driving conditions, the Montana Highway Department has vigorously sought to comply with "shall" conditions as set forth in the Manual. As explicit as the MUTCD is, it still allows for some interpretation. The Montana Highway Department has sole responsibility for these interpretations. It is the "should" and "may" conditions where the Montana Highway Department has the most latitude in its decisions. "Should"



conditions cover controversial items such as which cities are listed on directional or mileage signing. "May" conditions cover general service signing such as gas, food, lodging; specific service signing such as the "logo" program seen in other states; signing of scenic areas and roads; and cultural and recreational signing.

**Off Right-of-Way.** In compliance with Congress and the Highway Beautification Act of 1965, the Montana Legislature enacted the Montana Outdoor Advertising Act of 1971. The Montana Highway Commission then adopted a set of Administrative Rules and statutes which comply with the Act. These rules limit outdoor advertising to inside or within 600 feet of commercially or industrially zoned property. Outdoor advertising signs can occur on unzoned property if there is ongoing commercial or industrial activity (not agricultural) clearly within sight of the roadway. Signs advertising activities conducted on the property upon which they located do not need a permit (i.e. a business such as a lumber yard can erect a sign on its property **advertising the lumber yard** immediately adjacent to its business directed at the roadway). These same restrictions apply to rural areas. Essentially, signs are banned from Montana's vast rural areas. Signs which were erected before the Highway Beatification Act were grandfathered and are allowed if properly permitted and maintained.



Department of Fish, Wildlife and Parks

The Department of Fish, Wildlife and Parks (FWP) is responsible for design, construction and maintenance of signs both within a FWP site and guide signs to that site. FWP policy (Sign Manual 88.1) states:

"Directional signing should begin at the point where the most common route to the site leaves the nearest major paved highway, or in the case of sites in or near cities, the nearest major arterial street. When possible this should be from an Interstate interchange or a U.S. Highway, however, distances may be such that this is impractical.

Rarely, does FWP request signs on interstate freeways. Exceptions include areas such as Headwaters State Historic Site and, Lewis and Clark Caverns which are considered major destinations or "traffic generators". Signs are constructed to standards outlined in the MUTCD and National Park Service manuals. See Illustration Two.

Montana Historical Society

The Montana Historical Society is not responsible for any signs along interstate or primary routes (pers. comm. 5/88). During the past three years the Historic Society oversaw the refurbishment of the historic Fletcher/Shope highway markers.





Illustration Two  
Department of Fish, Wildlife and Parks On Right-of-Way Signs



The Montana Department of Highways remains responsible for these signs and their ongoing maintenance, removal and replacement. Although the Society has no responsibility for other than state owned museums, the Society has been a vocal advocate for museum and historic site signing. See Illustration Three.





Illustration Three  
Montana Historical Society Signs



## CURRENT ISSUES AND ATTITUDES

Beginning in April 1988 the Department of Commerce began accumulating comment on Highway signing in Montana. The first step was a meeting between the Department of Commerce, Montana Highway Department, FWP and the Historical Society to get a rough idea of the problems Montana is facing. Problems identified at that meeting included:

1. Cities not being listing on directional or mileage signing. As an example, going north on I-15 from Butte, Helena does not appear on some mileage and directional signs.
2. Outdoor advertising. Many motorists seem to want fewer while many businesses and small towns want more signs.
3. Rerouting of roads. As an example, the stretch of road from Columbia Falls to West Glacier was recently reconstructed and in many places rerouted. Many businesses with prime roadside frontage found themselves off the main route.
4. Recreational and cultural attractions would like roadside signing to route people to their businesses.
5. Scenic routes. Some communities and organizations (i.e. U.S. Forest Service and Bureau of Land Management) have



embraced the scenic route concept as a way to route people off the main freeways and to get them to stay longer in the state. Highway Department statistics show that the Pintlar Scenic Route signing did not increase traffic along the route.

6. Problems which were mentioned but were not within the scope of this project included rest areas, staffed visitor information centers and snowmobiling signs.

To further clarify and identify any overlooked problems and to gather industry and motorist comment a questionnaire was developed and a series of public meetings were planned. Written comment was also solicited.

**AAA Questionnaire.** The highway system in Montana is first and foremost for the motorist. It was important to identify the needs of the normal motoring public. The Montana offices of the American Automobile Association (AAA) agreed to distribute in their "trip tics" packets the Commerce questionnaire (see Appendix Two for copy of questionnaire). Nine thousand questionnaires were distributed to the six AAA offices in Montana. It is impossible to know how many of the questionnaires were distributed from the offices. 145 questionnaires were returned. 120 of the motorists responding reside in Montana, 25 were nonresidents. Table 1 shows the results. With few exceptions the motoring public seems satisfied with the signing



## AMERICAN AUTOMOBILE ASSOCIATION

Highway Signing Project  
Dept. of Commerce  
Travel Montana

Would you like to see more, the same or fewer signs and do you think these signs are helpful, adequate or fail to meet their purpose:

|                                    | Check One |           |           | Check One |           |           |
|------------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|
|                                    | More      | Same      | Fewer     | Helpful   | Adequate  | Fail      |
| Directional (green)                | <u>48</u> | <u>52</u> | <u>0</u>  | <u>71</u> | <u>26</u> | <u>3</u>  |
| Mileage (green)                    | <u>51</u> | <u>49</u> | <u>0</u>  | <u>70</u> | <u>26</u> | <u>4</u>  |
| Food, Phone, Service (blue)        | <u>35</u> | <u>64</u> | <u>1</u>  | <u>54</u> | <u>42</u> | <u>4</u>  |
| Roadside Historic Markers          | <u>44</u> | <u>56</u> | <u>0</u>  | <u>51</u> | <u>46</u> | <u>3</u>  |
| Recreation Site Directional(brown) | <u>39</u> | <u>60</u> | <u>1</u>  | <u>50</u> | <u>46</u> | <u>4</u>  |
| Billboards and commercial signing  | <u>7</u>  | <u>28</u> | <u>65</u> | <u>22</u> | <u>47</u> | <u>30</u> |
| Staffed Visitor Information Cntrs  | <u>44</u> | <u>54</u> | <u>2</u>  | <u>49</u> | <u>44</u> | <u>7</u>  |
| Designated Scenic Routes           | <u>58</u> | <u>42</u> | <u>0</u>  | <u>56</u> | <u>38</u> | <u>6</u>  |

TABLE ONE

MONTANA AAA RESULTS



system in Montana. Motorists wanted to see the same amount of directional, general service (gas, food, lodging), roadside historic markers, recreation site signs and staffed visitor information centers (apparently, community and Chamber of Commerce visitor information centers are adequately fulfilling the needs of the motorists). More signs were advised, but by a very slim margin, for mileage. Clearly, motorists did not want to see more billboards or commercial signing, 65 percent responding that there should be fewer. And, a clear majority, 58 percent, would like to see more designated scenic routes.

**Travel Related Business Questionnaire.** Exactly the same set of questions were mailed out to over 1,600 travel related businesses and chambers of commerce in Montana. As would be expected, the return was much greater with 352 responses. The reaction was much more mixed as shown in Table 2. The same amount of signs was advised for directional, mileage and general services (gas, food, lodging). More roadside historic markers were advised but only by a one percent margin. More signs were advised in the categories of recreation site, billboards, staffed visitor information centers and designated scenic routes. Generally, the comments received from the travel related businesses indicate that more information should be given to the motorist.

What is extremely enlightening is when the motorist and business results are compared. In all categories, except for



TRAVEL INDUSTRY

Highway Signing Project  
 Dept. of Commerce  
 Travel Montana

Would you like to see more, the same or fewer signs and do you think these signs are helpful, adequate or fail to meet their purpose:

|                                     | Check One |           |           | Check One |           |           |
|-------------------------------------|-----------|-----------|-----------|-----------|-----------|-----------|
|                                     | More      | Same      | Fewer     | Helpful   | Adequate  | Fail      |
| Directional (green)                 | <u>44</u> | <u>56</u> | <u>0</u>  | <u>66</u> | <u>30</u> | <u>3</u>  |
| Mileage (green)                     | <u>40</u> | <u>59</u> | <u>1</u>  | <u>64</u> | <u>34</u> | <u>3</u>  |
| Food, Phone, Service (blue)         | <u>49</u> | <u>50</u> | <u>1</u>  | <u>63</u> | <u>29</u> | <u>9</u>  |
| Roadside Historic Markers           | <u>50</u> | <u>49</u> | <u>1</u>  | <u>56</u> | <u>39</u> | <u>5</u>  |
| Recreation Site Directional (brown) | <u>59</u> | <u>41</u> | <u>0</u>  | <u>64</u> | <u>28</u> | <u>9</u>  |
| Billboards and commercial signing   | <u>39</u> | <u>33</u> | <u>27</u> | <u>41</u> | <u>38</u> | <u>21</u> |
| Staffed Visitor Information Cntrs   | <u>57</u> | <u>41</u> | <u>2</u>  | <u>58</u> | <u>31</u> | <u>11</u> |
| Designated Scenic Routes            | <u>65</u> | <u>33</u> | <u>2</u>  | <u>62</u> | <u>30</u> | <u>8</u>  |

TABLE TWO  
 MONTANA TRAVEL INDUSTRY RESULTS



directional, businesses feel there should be more signs than what motorists apparently want! The motorists and the travel related businesses are in general agreement that there should be the same number of directional and general service signs. There is fairly close agreement that there should be the same or a few more mileage, roadside historic markers, recreation site and staffed visitor information centers. There is very strong agreement that there should be more designated scenic routes. And, there is wide disagreement over billboards and commercial signing. See Illustration Four.

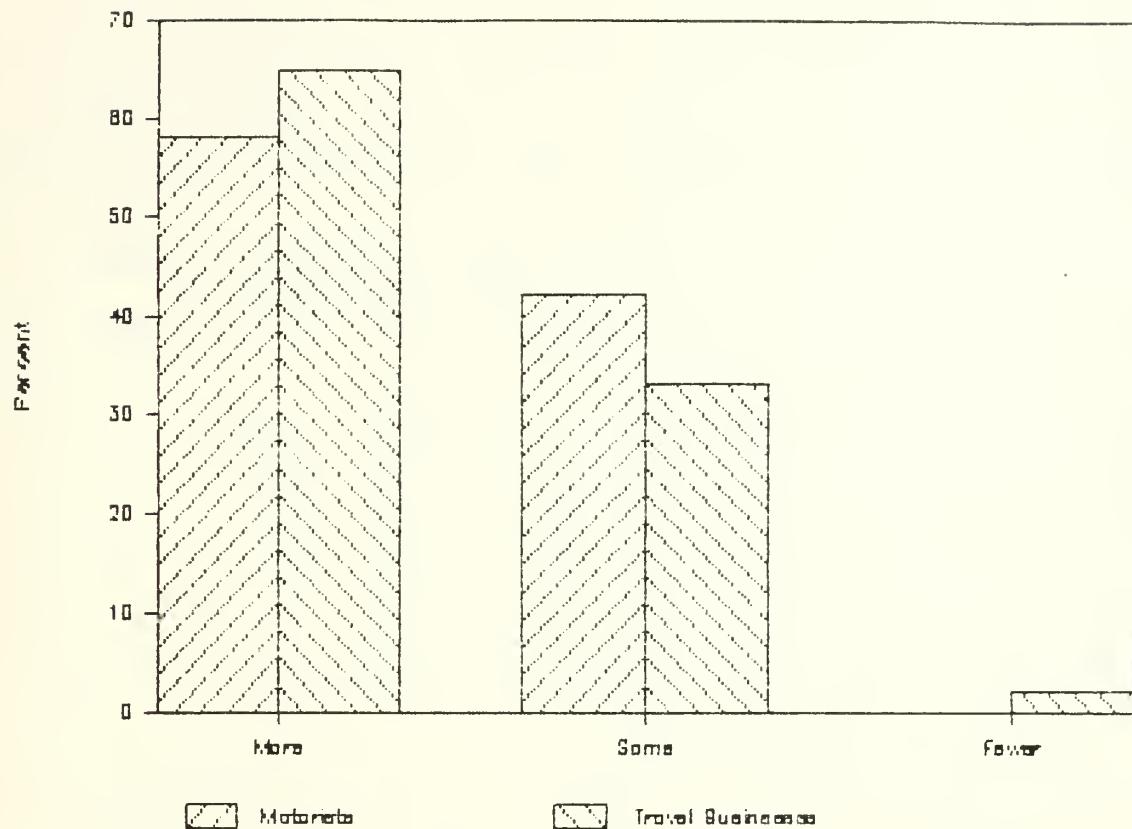
When the motorist and business questionnaires are grouped together the top two states suggested as having model highway signing programs are Washington and Oregon. It is interesting to note that these two states have aggressively pursued supplemental signing programs such as logo, TODS and scenic.

**Written Response.** In order to generate more open response all questionnaires, both motorist and business, encouraged people to write to the Department of Commerce with their comments and suggestions. Over one hundred letters were received and can be found in Volume Two of this report. Many of these letters dealt with specific requests for signs at specific interchanges. While these specific requests illustrate the interest in highway signing, they are not useful in the context of this report. Copies of these specific requests have been turned over to the Highway Department for action. It was in the context of the

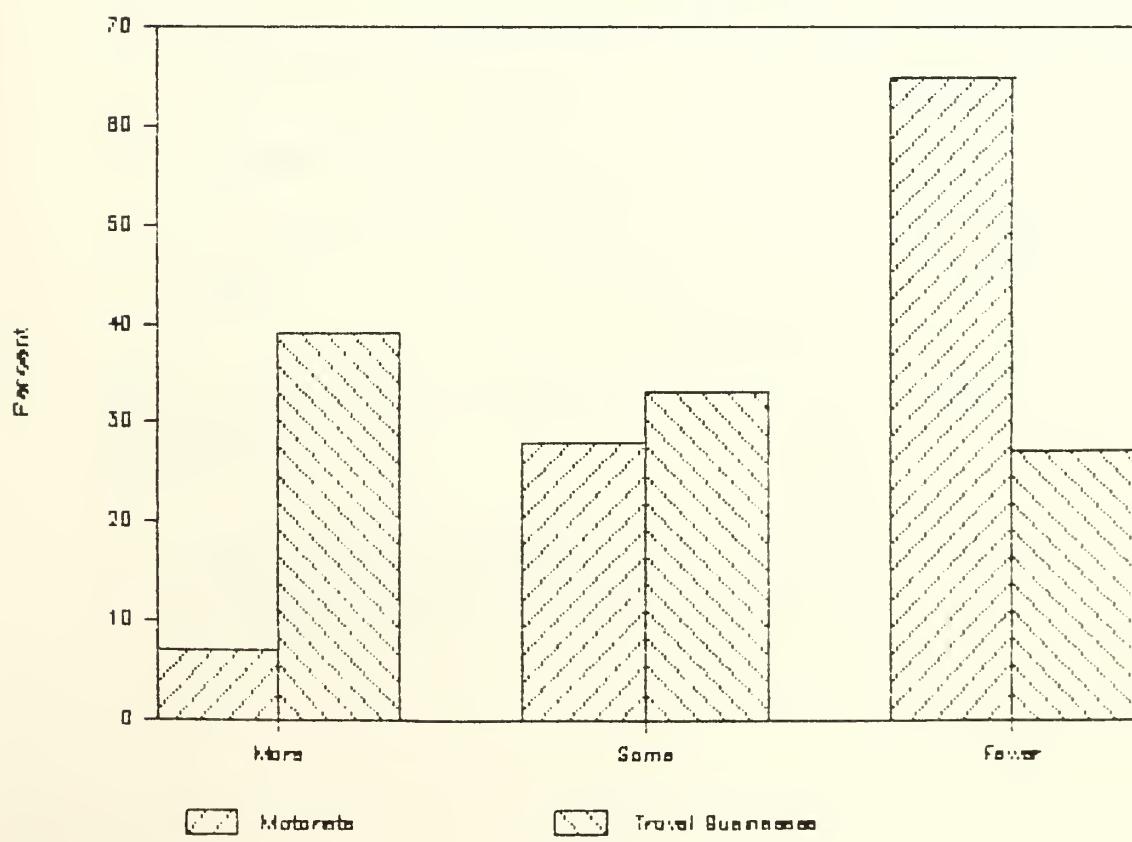


ILLUSTRATION FOUR

Designated Scenic Routes



Billboards and Commercial Signs





written response that cities, towns and chambers of commerce chose to respond. Below is a short list of the concerns expressed by cities and a short quote to illustrate the point:

Small and middle sized cities feel there should be more directional signs which list them.

"We feel Lewistown is centrally located in the state and is the preferred route for much of the travel across the state east to west and north to south ... yet we feel Lewistown is poorly mentioned, if at all, in signage at points 100 to 200 miles from Lewistown."

The problem of being listed on mileage and directional signing is not limited to small cities.

"To paraphrase [one of our members] "In Great Falls, just after completing a road project, the 'Helena' sign was replaced by a 'Butte' sign." ... At the very least, Helena could be mentioned on all road signs as a second or third city -- it's the Capitol City, for crying out loud!"

Towns would like to be able to put up affordable advertising billboards.

"The issue of commercial signs and billboards is a difficult one. We do not want to overly clutter



our roadsides, but desperately need to advertise our commercial businesses.... The entire process should be in the hands of local government."

"I think every town & city should be able to have a billboard sign on each end of town -- to promote their town. In Manhattan we had a sign promoting our town and were forced to take it down during the Lady Bird Johnson program [Highway Beautification Act]. We are now without any signs and are surrounded by agricultural land which we can not erect a sign on."

Scenic routes are perceived as a way to route tourists through small towns.

"I also suggest that more scenic routes be designated around the state to encourage vacation travelers to explore more of Montana outside the main travel corridors. For example a Yellowstone River scenic route could be designated from Park City to the Springtime interchange in south central Montana."

"We live on the only designated scenic route in the state, Montana Highway #1. Until recently there were no signs indicating our lovely scenic route. Since signs have been placed on the interstate highway our tourism has improved."



**Public Meetings.** Three public meetings were held, one each in Missoula, Great Falls and Billings on the evenings of November 15, 16 and 17, 1988. The meetings were publicized by sending out a letter to over 1,600 tourism related businesses and through a press release which ran in most papers and television news programs across the state. Representatives from Fish, Wildlife and Parks, the Montana Historical Society, Montana Highway Department sat in and the Department of Commerce chaired the meetings. Fifty nine people attended the meetings. By far, the greatest number of people attending the meetings represented the outdoor advertising industry (39%). The meetings were also attended by the hotel industry (17%), chambers of commerce (12%), campgrounds (8%), cafes and truck stops (7%), government agencies (7%) and concerned citizens (10%).

As might be expected from the outdoor advertising industry turnout, there was a great deal of input from that group. Generally industry concerns fell into two categories.

1. The outdoor advertising industry does not want additional controls placed on them in addition to federal regulation. They feel that the Highway Beatification Act went far enough and additional controls would mean loss of revenue and loss of advertising opportunity for their clients. These meetings and the Highway Signing Project were viewed as a threat to their industry.



"The economy of Montana has very few strongholds. Tourism and travel are the most needed activities to help our businesses survive. Highway signs are already controlled by the Highway Beautification Act of 1965. We do not need further legislation, especially in Montana, which will further limit our access to the tourists traveling our highways. If opponents of highway sign usage are successful in their attempt to outlaw such usage, the people of the State of Montana may as well turn out the lights..."

2. The outdoor advertising industry feels that a logo sign program would put state government in direct competition with their industry. Many speakers felt that even if privatized the logo program was not acceptable because it would give one contractor a monopoly over the entire state. Some industry speakers felt the logo program could be acceptable if contracted to several Montana sign companies.

"I'd like to address the logo program. That is what I consider putting the State in the billboard industry. My tax money is going to be used to put the State in competition? We can not build billboards on the right-of-way. These logo signs will be built on the right-of-way and that gives them a competitive edge."

Hotels, lodges and campgrounds all spoke to the lack of roadside



advertising opportunities for their businesses.

1. Generally, small business wanted to be able to freely put up their own commercial billboards and they complained of the high rates (\$400 per month) charged by the billboard companies. They seemed to want less government interference but at times they wanted government to put up and pay for programs such as the logo program. At the Missoula meeting one woman commented that the logo program would be too expensive at any price and should be paid for by government.

"I can see right now that the big commercial sign companies will be right there to fight just like they were before [against the logo program] and the small business people probably won't have a chance. The little business has a hard time. I am not against the logo program, I am against being charged for them. I am a taxpayer in this state and the state Highway Department should put those up."

2. Larger businesses viewed these meetings as a threat to their existing signage. They spoke in favor of the present billboard laws. A few businesses spoke in favor of the logo program and felt it would be a benefit. Most businesses did not realize the costs (\$95 per month per direction) associated with the logo program.



Chambers of Commerce and tourism regions also spoke to the restrictiveness of the Highway Beautification Act. Often bypassed by freeways or new roads, most small towns would like more opportunities to inform the motorist about what their town has to offer. Several communities have had their signs removed by the Highway Department. Communities and regions generally spoke in favor of looser restrictions on billboards and commercial signing.

"What about us po-dunk little communities? We need tourists for our livelihood. We need everything we can get. We have to get these tourists through our community. We need signs. We need help. We don't need a bunch of rules and regulations. Anything you can do to help us get up signs and get up billboards would be greatly appreciated."

As noted earlier, the public meetings were attended by the three agencies most involved in signing and chaired by the Commerce Department. Independent observations and summaries of the public meetings by the Montana Historical Society, Montana Highway Department and the Department of Fish, Wildlife and Parks are included in Appendix 3.







## POSSIBILITIES FOR CHANGE AND RECOMMENDATIONS

Following is a list of programs and discussion of changes which could be made in the signing system in Montana. Each item includes a Department of Commerce recommendation, action needed as determined by the legal staff of the Highway Department and a discussion of the advantages and disadvantages of the program.

Title: Scenic Routes or Loops

Dept. of Commerce Recommendation: Develop a state wide scenic road system.

Action Required: Establishment of a scenic road system is possible under current law. Legislation to set up criteria would be advisable.

Brief Description: Montana has many routes which offer ample motorist services and which are more scenic than the interstate freeway. Some travelers would be interested in these routes if they felt assured that they would not end up lost or losing unexpected time. Criteria could be established to identify routes which are unique, offer ample motorist services and which offer a more relaxing and interesting tour through Montana than the interstate freeways.

Advantage of Recommendation: There was overwhelming agreement in



both the motorist and travel related business surveys that more scenic routes are desirable and helpful to the traveler. Scenic routes could help disperse tourism dollars into the smaller towns across the state. If properly promoted with information in the Montana Promotion Division travel packets, a system of scenic loops could increase the length of stay of nonresidents in Montana. Montana scenic routes are currently being suggested by the U.S. Forest Service, Bureau of Land Management and by several legislators. Red Lodge is seeking National Parkway designation for the Beartooth Highway. The Montana Dept. of Fish, Wildlife and Parks has one Recreation Road. Unless a statewide system is established a piece meal system with different designations and little meaning to the traveler will develop.

Disadvantages: If the length of stay does not increase, towns which are not on scenic routes will be losers while towns on the routes will be winners. The popularity of scenic routes is due to the perception that everyone will be on a route. Scenic route designation could become an annual can-of-worms for the Montana legislature.

Costs and Funding Alternatives: As, most often, scenic loops would be off of the interstate freeways and the signs are small, they are relatively inexpensive to sign. The cost of a major freeway sign would occur at points where the route either left or crossed a major freeway. An additional major cost would be in



publication and additional mailing expense of a guide to scenic routes to be included in the 300,000 packets which the state Promotion Division distributes. It would be possible to ask that the towns and businesses along the route contribute to defray some of the state expense.



Title: A system of informational radio stations throughout Montana.

Dept. of Commerce Recommendation: Development of a system of informational "radio loops" in Montana.

Action Required: Legislation directing the Department of Highways install signs along the freeway as needed directing motorists to "tune to "1610" (as an example) for historic and "Anaconda" (as an example) information."

Brief Description: This original idea arose from the desire to better direct the motorist to small towns just off the interstate freeways. No system of signing allowed for enough information or unique information about cities and towns along the way. And, any system of generic signing would become so repetitious it would soon not be noticed. 2.5 mile radius AM "radio loops" have long been used by the Department of Highways to broadcast road construction advisories. The National Park Service has long been using informational and interpretive radio loops. Recently, radio loops became much more reliable with the use of solid state circuitry as opposed to continuous running tape recorders. Because radio loops are so commonly used by Highway Departments, their cost has declined to a very reasonable amount. Finally, the radio format allows for creative applications which would surely increase listenership. As an example, the plan would be to have a sign approximately 3 miles before the Big Timber (as an



example) exit stating "Tune to 1610 for historic and Big Timber info." On 1610 a 1.5 minute message would be heard. Thirty seconds would be historic information, interesting to the traveler. Thirty seconds could be about Big Timber events or the types of services available in town and 30 seconds could be used to direct the motorist to a visitor information center or Chamber of Commerce. FCC rules direct that no commercial product can be advertised under these licenses. The 30 seconds of historic information would be the hook to get motorists to tune in as they drove across the state. The community would sign a contract with the state to assure they comply with the message format and that there is always a message broadcast or the community pays for taking down the sign. This system could also be used preceding each freeway interchange for a scenic route.

**Advantage of Recommendation:** A site specific and unique message could be broadcast for each community across the state. The cost can be relatively low -- hardware costing \$2,500 to \$4,000 -- with communities providing the labor to dig trenches for the antenna and the pole. Because this system would be unique, fun and offer information it could be very effective.

**Disadvantages:** Some smaller communities could not afford the \$2,500 to \$4,000 needed to buy the hardware. Because freeway exits may be more than two or three miles apart, some communities may need two sets of hardware to reach traffic in both



directions. Electricity needs to be available at the site and the landowner must cooperate. Some communities may overlap.

**Cost and Funding Alternatives:** The Montana Department of Highways would construct and install the signs directing motorists to tune in. Cost of such signs would be approximately \$3,000 per set. If 20 communities chose to participate, the cost to the state would equal approximately \$60,000. The community would purchase the hardware and would provide the manpower to make the installation.



Title: Loosening of Restrictions on "Cultural and Recreation" official highway signing.

Dept. of Commerce Recommendation: Looser interpretation of existing Montana law.

Action Required: Legislation which better interprets Montana Statute 75-15-111(1b). This statute is consistent with federal law and allows for signage of natural wonders and scenic and historical attractions (see Appendix Four for a copy of 75-15-111).

Brief Description: Montana law allows for on right-of-way official signing of cultural and recreational sites. This same statute allows for off right-of-way advertising by nonprofit historical or arts organizations. The Montana Highway Department has interpreted this law very narrowly to include only very major attractions such as Lewis and Clark Caverns. If the law were more loosely interpreted attractions such as the C.M. Russell Museum in Great Falls would qualify for official highway signing. See Illustration Five.

Advantage of Recommendation: Motorists would be made aware of the variety of natural wonders and scenic and historical attractions available to them. Possibly this would encourage visitors to stay longer or to return.

Disadvantages: There are probably hundreds of attractions which





On Right-of-Way



On Right-of-Way



The CM Russell Museum in Great Falls was denied an on right-of-way sign and located its sign off the right-of-way.

Illustration Five



sincerely consider themselves worthy destinations. Especially along freeways, standards need to remain strict enough to allow official highway signing only for major destinations. Development of strict standards will seem like arbitrary discrimination to some attractions.

Costs and funding alternatives: Major state owned parks, recreation areas and museums should be signed from the nearest major highway. The costs of this signing should be paid for by the Montana Highway Department as that department is in the sole position to cost share with the federal government. Major private nonprofit "natural wonders and scenic and historical attractions" should be offered the opportunity of signing whereby the Montana Highway Department erects signs from the nearest major highway to the attraction at the attractions own expense.



Title: Naming of major cities on directional and distance official highway signs.

Dept. of Commerce Recommendation: Legislatively direct the Montana Department of Highways to include not only the "control city" but also the closest city over 10,000 population on directional signing when the inclusion of the additional city does not require rebuilding of the support structure. And, whenever possible include three cities on distance signs. This change, if any, should occur over time as signs are replaced.

Action Required: Legislative directive.

Brief Description: Currently, Montana has three "control cities" -- Butte, Great Falls and Billings. According to the MUTCD the next control city "should" be on directional signs and a second destination "may" be listed. On distance signs the control city "should" be listed along with the next place on the route having a post office. A third city can be listed. In Montana, generally only the control city is shown on directional signs and often only two cities appear on distance signs. This has resulted in major cities such as Helena and Missoula appearing on very few highway signs. Driving west from Butte, Coeur d' Alene sometimes appears as the next destination. See Illustration Six.

Advantage of Recommendation: Cities which are not control cities but which offer a large variety of motorist services -- namely





Directional Signs in Great Falls  
do not mention Helena.



Distance sign north of Butte.



Distance sign with  
Helena south of Great Falls.

#### Illustration Six Directional and Distance Signs



Kalispell, Bozeman, Missoula, Havre and Helena -- would appear much more frequently on highway signs allowing the motorist to plan to stop at those intermediate points.

**Disadvantages:** In some cases there would be a major cost associated with replacing a highway sign with a sign with two destinations. Some overhead structures would need to be redesigned and constructed. The replacement cost would be greater than the cost planned for the sign.

**Costs and Funding Alternatives:** The great majority of costs would be covered by the normal replacement cost of the sign.



1 Title: Tourist Oriented Directional Signs (TODS)

Dept. of Commerce Recommendation: A system of Tourist Oriented Directional Signs in Montana.

Action Required: Enabling legislation would be required mandating the Highway Department to pursue such a program or to contract with a private contractor to provide the service.

Brief Description: TODS is an experimental program which has been successfully adopted by several states. The program is not allowed on freeways but is allowed on all other roads. TODS allows for official highway signing of specific services which would be of interest to the tourist such as Montana-made gift shops and galleries, raft trips, hot springs, farms or industries which offer tours, summer chair lift rides and museums which may not qualify under cultural signing. To qualify the business must have regular hours, have a "showroom" if appropriate for the service, must not be visible from the main road and must meet any other criteria the state chooses to adopt. See Illustration Seven.

Advantage of Recommendation: It is the tourist oriented activities which drive tourism. This program effectively gets the word to motorists about these activities. If the activities are successful, the gas, food, lodging and camping services in the area will also be successful. For a relatively low cost





Illustration Seven  
Tourist Oriented Directional Signs (TODS)



(\$300-\$400) per year a qualifying business can have an official highway sign directing traffic to there door. This program is especially appropriate for areas such as between Columbia Falls and West Glacier where the new road has bypassed many businesses.

**Disadvantages:** Because the program is not allowed on freeways and only applies to businesses which can not be seen from the main primary road, the program is limited. There will also be borderline tourist activities such as miniature golf courses, water slides, chain gift shops and businesses too small to have a showroom or regular hours.

**Costs and Funding Alternatives:** The business would enter into an agreement with the Department of Highways for construction, installation and maintenance of the sign plus all supplemental guide signs leading to the business. The business would pay for all costs associated with these activities.



Title: Creation of a Travel Information Council with Two Permanent FTE Positions.

Dept. of Commerce Recommendation: Creation of a Travel Information Council. It is recommended that this council be funded by appropriation of gas tax revenues through the Montana Dept. of Highways.

Action Required: Enabling legislation would be required creating the council, approving its powers and funding and creating the two FTE positions.

Brief Description: A large council would be responsible for developing qualifying criteria, overseeing contracts, implementing programs and fielding requests and complaints. The council would serve both to implement programs directed by the legislature such as scenic routes, TODS and radio loops and to bring new programs and concerns to the legislature every biennium. The council would be made up of all facets of the travel and sign industries including but not limited to:

|                           |                               |
|---------------------------|-------------------------------|
| Travel Promotion Division | Highway Department            |
| Historical Society        | Fish, Wildlife and Parks      |
| Billboard Industry        | Innkeepers Association        |
| U.S. Forest Service       | National Park Service         |
| Bureau of Land Management | Campground Owners Association |
| Eastern Member at Large   | Western Member at Large       |



Two FTE positions would serve as staff to the council and would direct the day to day operations of implementing and overseeing programs.

Advantage of Recommendation: If any of the attached programs are adopted, they will take additional time and manpower to implement. Having a multi faceted council oversee the implementation of these programs relieves the Highway Department of this responsibility and of the criticism which would follow. The council would also listen to problems and complaints. Given the power, it would be in the position to adopt new criteria or change criteria as problems arose.

Disadvantages: Addition of two new FTE positions to state government at a time when there appears to be a mandate to reduce government.

Costs and Funding Alternatives: Council members would not be paid, only their expenses would be covered at state rates during meetings. At current state rates it would cost approximately \$9,000 for the council to meet six times per year. The two FTE positions would add approximately \$42,000 to the budget plus an additional \$20,000 in operating expenses bringing the total council budget to \$68,000. In a state as sparsely populated as Montana it may not be reasonable to assume that the entire budget



could be recovered in fees paid by users of the programs. For the first two years, nearly the entire council budget would have to be appropriated.



Title: Advertising Kiosks at Rest Areas.

Dept. of Commerce Recommendation: Construction of advertising kiosks in high traffic rest areas.

Action Required: Enabling legislation would be required mandating the Highway Department to pursue such a program or to contract with a private contractor to provide the service.

Brief Description: Kiosks would be constructed at high traffic, freeway rest areas. Inside the kiosk, attractive informative lighted displays would carry area information (40%) and advertising (60%). Most often these kiosks and displays would be lighted. A panel would be added to the freeway "Rest Area 2 miles" sign which would read "Travel Information." If deemed desirable by the Montana Highway Department the kiosk could also have a vending machine and/or free coffee area. See Illustration Eight.

Advantage of Recommendation: Travel information kiosks have proven to be effective and popular additions to rest areas in Oregon and Washington. Motorists feel they add to the attractiveness and usefulness of the rest area. An additional bonus seems to be reduced vandalism at more attractive, higher traffic rest areas. In Oregon, the Department of Transportation maintenance crews overwhelmingly (87%) felt that the kiosks were a nice addition to the rest areas. They reported that they spent





Travel Information  
Kiosk in Oregon Rest Area



Commercial Advertising in Kiosks.

Illustration Eight



an average of 2.5 hours a week on general maintenance of the kiosk and 2 hours per month on maintenance of the displays inside of the glass cases. In Oregon sales of display space is contracted to a private business.

**Disadvantages:** If not properly maintained the displays could quickly become an eyesore. Unsold space would not be attractive. Maintenance of Montana's rest areas is already a problem. Adding 2.5 hours per week to up to 20 rest stops would mean additional manpower would be required. Supervision of the contract could be a problem.

**Cost and Funding Alternatives:** The construction of the kiosk itself would have to be funded by a general fund loan to be paid off by returns from the advertising subcontract over a number of years. If each kiosk cost \$10,000 to construct and 20 kiosks were in the initial plan, \$200,000 would be needed to initially finance the project. It would probably take up to 10 years to pay back the general fund. The advertising contractor could pay back, as a condition of the contract, the additional cost of maintenance to the Highway Department.



Title: Loosening of restrictions on billboard and commercial signing.

Dept. of Commerce Recommendation: No action. Maintain current standards.

Brief Description: Montana's highway advertising control laws are similar to laws required by the U.S. Congress to qualify for federal highway funds. If Montana wanted to give up receiving federal funds it could adopt less restrictive rules and allow a proliferation of off right-of-way highway signing.

Advantage of Recommendation: After attending the public meetings and receiving written comment it is obvious that, given the opportunity, an unsightly proliferation of signs would result if restrictions were lifted. Not only would Montana become less attractive but the effectiveness of advertising would be diminished because of the proliferation. In addition, millions of dollars of federal money would be lost by not complying with the federal regulations.

Disadvantages: Many businesses, communities and civic organizations would like to impact the millions of motorists using Montana's highways. Removing restrictions would allow these people to advertise at a lower cost than is currently available through the billboard advertising companies. The current cost of advertising space is very high due to the limited



opportunities available.

**Costs and funding alternatives:** Millions of dollars of federal matching funds would be lost.



Title: Logo Program

Dept. of Commerce Recommendation: Adoption of a Logo Program in Montana to be contracted to a single private contractor. Note: After the public comment process, the inter-agency committee which studied highway signing recommended against the Logo Program. Upon presentation to the Tourism Advisory Council, the recommendation of the committee was overturned.

Action Required: If pursued, enabling legislation would be required mandating the Highway Department to pursue such a program or to contract with a private contractor to provide the service.

Brief Description: The Logo program is a federally approved program whereby the state can erect official highway signs for specific services in the categories of gas, food, lodging and camping. The signs carry the logo of the specific service. The program is approved for all classes of roadways. See Illustration Nine.

Advantage of Recommendation: The logo program allows the motorist to find major chains of restaurants such as McDonalds or lodging facilities such as Best Western very easily. The logo program also better guides the motorist to interchanges where there is more variety offered. Because this program is not new (it exists in 32 other states) mechanisms have been developed





Illustration Nine  
Logo Signs



to share or completely transfer the cost to those businesses benefiting from the signs.

**Disadvantages:** This is a large, expensive, controversial program. If the program is state run, the Montana Highway Department would have to enlist a sales and compliance staff and would have the burden of installing hundreds of new signs along Montana's roads. If the program went out to bid, an out of state contractor, with experience administering similar programs, could capture the contract and control logo signing for a number of years. Loss of business to Montana billboard companies could result. Neither alternative would be acceptable to the Montana outdoor advertising industry. "Mom and pop" businesses could not afford the program. In states that have contracted the program out, the cost has been approximately \$95 per direction per interchange per month.

Costs and funding alternatives. If state run the Montana legislature would have to budget between \$2-3 million to the Highway Department. The Highway Department would require additional staff. If contracted, the program could be run at little cost to the state other than supervision of the contract.



Title: Community Signs.

Department of Commerce Recommendation: No Action.

Brief Description: Similar to the current "Gas, Food, Lodging, Phone, Camping" blue and white service signs, it would be possible to construct brown and white signs for each community which read "Museum, Golf, Picnic Area, River Access" etc. The sign would have to be limited to six to nine words maximum to be safely readable at highway speeds. International symbols exist for some but not all of the desired messages (words and symbols can not be mixed on the same sign).

Advantage of (no action) Recommendation: Clearly, communities which have been bypassed by the interstate freeway system would like some way to clearly convey the message that tourist services are available in their town. Unfortunately, six to nine words are not enough to convey a unique message and the selection of symbols approved for use in the US is very limited (as opposed to Canada where a wide variety of symbols are approved for use). Almost every town in Montana would chose to put up the same five or six words and soon the message would be ignored. In addition, it would be necessary to place "guide" signs which lead the motorist to each individual service listed (if it is not visible from the exit), compounding the number of signs required. The expense of erecting two large signs for each community would be very great. Fish, Wild and Parks has expresses concern over



leading motorists to facilities designed only to accommodate local (less) use. A system of informational radio stations allows for more and unique information.

**Disadvantage:** Some message may be better than no message at all.

**Costs and Funding Alternatives:** The cost to construct and erect each sign would be approximately \$2,500 or \$5,000 for two exits. The cost of guide signs would be in addition. Seasonal activities would have to be accommodated by taking down and putting up panels and guide signs. Local communities could be asked to pay for the signs, installation and seasonal maintenance of the sign system.

As mentioned earlier in this report, the Montana Highway Department, Fish, Wildlife and Parks and the Historical Society participated in this process. The independent recommendations of the Historical Society and the Department of Fish, Wildlife and Parks are attached in Appendix Five. The Highway Department included its recommendations along with their review of the public meetings and they can be found in Appendix Three.



APPENDIX ONE

HB 607



**HOUSE BILL NO. 607**

AN ACT APPROPRIATING MONEY TO THE DEPARTMENT OF COMMERCE FOR A STATEWIDE INVENTORY OF AND A COMPREHENSIVE PLAN FOR A SYSTEM OF HIGHWAY SIGNS; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE.

*Be it enacted by the Legislature of the State of Montana:*

**Section 1. Appropriation.** There is appropriated to the department of commerce for the biennium beginning July 1, 1987, \$35,000 from the proceeds of a bill passed and approved by the 50th legislature that includes provisions for a tax on hotel, motel, or campground accommodations with a portion of the proceeds to be used for tourism promotion.

**Section 2. Purpose of appropriation.** The department of commerce shall use the money appropriated in section 1 to:

(1) conduct and complete, in cooperation with the department of highways, the department of fish, wildlife, and parks, and the Montana historical society, a statewide inventory of existing signs located on, adjacent to, or visible from the primary highway and interstate highway systems that:

- (a) direct or control traffic;
- (b) provide tourist information;
- (c) explain historic significance of points along the highway;
- (d) point out recreational sites;
- (e) call attention to scenic attractions; or
- (f) provide other information intended to enhance the experiences of visitors to Montana; and

(2) compile a comprehensive plan for location, design, style, construction, and text of a system of signs to be erected along Montana's primary highways and interstate highways for the purposes stated in subsection (1) and in conformance with the provisions of 23 U.S.C. 131.

**Section 3. Report and recommendations.** The department of commerce shall deliver its completed inventory of existing highway signs and comprehensive plan for a statewide signing project to the 51st legislature along with an estimate of the cost of completing the signing project.

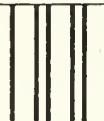
**Section 4. Effective date — termination.** This act is effective July 1, 1987, and terminates February 28, 1989.

Approved April 9, 1987.



APPENDIX TWO  
MOTORIST AND TRAVEL RELATED QUESTIONNAIRE





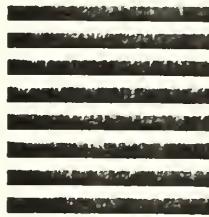
NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES

## BUSINESS REPLY MAIL

FIRST-CLASS MAIL PERMIT NO. 189 HELENA, MONT.

POSTAGE WILL BE PAID BY ADDRESSEE

TRAVEL MONTANA  
BOX H  
1424 9TH AVENUE  
HELENA MONTANA 59601



Montana is studying ways to meet the needs of highway travelers. Please assist us by taking a moment to answer these questions pertaining to highway signs along Montana's interstate and primary routes. THANK YOU!

Would you like to see more, the same or fewer signs and do you think signs are helpful, adequate or fail to meet their purpose:

|                                       | Check One                |                          |                          | Check One                |                          |                          |
|---------------------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|
|                                       | More                     | Same                     | Fewer                    | Helpful                  | Adequate                 | Fail                     |
| Directional (green)                   | <input type="checkbox"/> |
| Mileage (green)                       | <input type="checkbox"/> |
| Food, Phone, Service (blue)           | <input type="checkbox"/> |
| Roadside Historic Markers             | <input type="checkbox"/> |
| Recreational Site Directional (brown) | <input type="checkbox"/> |
| Billboards and commercial signs       | <input type="checkbox"/> |
| Staffed Visitor Information Centers   | <input type="checkbox"/> |
| Designated Scenic Routes              | <input type="checkbox"/> |
| Other _____                           | <input type="checkbox"/> |

Do you know of a state with an exceptional highway signing program? If so, what state?

\_\_\_\_\_

What state do you reside in? \_\_\_\_\_

If you would like to make any further comments, please feel free to write us at the address on the front of this card. Thank you!



APPENDIX THREE  
AGENCY RESPONSE TO PUBLIC MEETINGS



**Montana Department  
of  
Fish, Wildlife & Parks**



1420 East Sixth Avenue  
Helena, Montana 59620

December 6, 1988

Steve Shimek  
Montana Promotion Division  
Montana Department of Commerce  
Helena, Montana 59620

Steve,

As the Department of Fish, Wildlife & Park's representative to the interdepartmental committee which has been looking at highway signing, I am hereby submitting my personal observations from the public hearings and the user and industry surveys that were done.

The first point I would note is that everyone seems to be generally satisfied with commercial advertising (billboards), and to recommend any changes to that aspect of highway signing would probably not be beneficial to the user.

The second point I would note is that rest areas seem to be very important to the traveller and they have a lot to do with what image a tourist has of Montana when they travel through. Perhaps more should be done in the areas of maintenance and possibly even expanding the rest area program in those areas where they are separated by great distances. Building on these points, I would now comment on some of the ideas that were discussed at the public meetings.

The logo program developed by the U.S. Department of Transportation drew mixed comments but a couple items seemed to shake out of the discussions. First of all, for this program to work in Montana it appears that it cannot be tied to billboards in any way. Second, there appears to be a consensus that if this program is put in place it should be run by private term contract and supervised by the Highway Department. This would almost certainly require construction of the initial sign structures with highway funds, and there seems to be some public sentiment that that money can be better used for construction and maintenance of the highways themselves.



The Tourist Oriented Directional Signing program used in other states drew very little comment, but it would seem that those local museum associations that want more exposure might be able to use this idea to their benefit. I believe that this program should be explored a little more and more input solicited from those groups with regard to it.

The concept of informational kiosks at rest areas with a percentage of commercial advertising seemed to draw favorable comment from almost everyone, and seems to have a lot of promise, but the Highway Department would need to develop standards and a periodic review process to make the program effective.

Scenic routes were discussed at all the meetings, and everyone seems to think that they must be a good idea, but no one is sure how to go about the designation process. It would appear that a select group would have to be put together from both the private and public sectors to make those selections statewide, and the number would have to be limited in order to have the designation be significant.

Other comments that were received dealt with existing green and white directional and distance signs, and seemed to fall into two major categories. Because of the criteria used to develop these in the past, many significant cities were being left off of most of the distance signs except in the immediate vicinity of those cities. With the Highway Departments adoption of the three line distance sign, most of these problems seem to have been overcome. I would encourage the adoption of this new standard wherever practical.

The second problem associated with directional signing is that of directing travellers to those small communities quite a distance from the main travel routes. It appears that in some areas of the state such as the southeast corner and along the northern Rocky Mountain front, not all of the communities are noted from the Interstates. I recognize the limitations to signing all of these, but it appears that in some instances, a second review of that signing is warranted.

One last suggestion would be the creation of one central place that people who have signing problems could be directed to. It seems that currently people are getting their answers from many different people and some of the responses they are receiving are not consistent from area to area, and in some instances people with problems feel that their problems are falling on deaf ears.

Sincerely,



DAN STINSON



## 1988 Montana Highway Sign Inventory

### Observations on the Public Meetings:

-- No one who came to the public meetings spoke as a traveler.  
-- No one who spoke at the public meetings advocated a reduction in signs or represented interest groups who would lobby for a more "sign-free" Montana.  
-- Although the nature of each of the three meetings was different, in general, the folks who talked at the public meetings (1) wanted more signs of all kinds, (2) wanted fewer governmental restrictions in signing, and (3) offered few, if any, suggestions for funding, limits, use of criteria, specific programs. In general, the folks who spoke wanted freedom and perhaps government money, but could not cast their preferences into positive recommendations.

-- The nuances to that summary statement are:

- a. The billboard industry recognizes federal restrictions and doesn't argue with those. It obviously wants no additional state restrictions on billboards. It appeared to be more temperate about the logo program than it must have been in the 1987 legislature. The people representing billboard companies comprised at least half if not more of the total attendance.
- b. Communities situated off interstates desperately want signs and attention.
- c. Small business owners--the ones we heard from the most were campgrounds, motels, some other general businesses--wanted changes in federal billboard laws or state financial assistance in signing.
- ✓ d. Even the museums and historical societies present generally spoke only to wanting more signs--both commercial and informational.
- e. The concept of scenic loops, radio channels devoted to information, the TODS (tourist oriented directional signing program) received little attention. People seemed singularly focused on signs as a solution to their problems.
- f. We witnessed some of the continued unrealistic expectations/hopes about tourism "saving" towns and locations that are not likely to be saved regardless of the kind or number of signs available.

In general, the public meetings likely satisfied the "etiquette" of public agency/public citizen interaction. But they weren't honestly productive. We could learn from the meeting that the people who want fewer signs aren't willing to speak up--or didn't perceive a need to do so. We could see the extreme hopes that small businesses and small towns pin to signs. I think that the audience present--representing both billboard folks and businesses of various sizes--was adequate to determine that the logo program won't help here. And, as a complete aside to the sign issue, it seemed fairly clear to me that very few of us Montanans are willing to believe that thoughtful care and presentation of our state is (a) both the "right" thing to do and (b) will be economically beneficial in the end. More of us, it seems, would rather compete fiercely and in an unregulated fashion for tourist dollars without particular regard to longterm attractiveness to visitors or our own satisfaction with the state.

Marcella Sherfy  
Montana Historical Society



## DEPARTMENT OF HIGHWAYS



TED SCHWINDEN GOVERNOR

# STATE OF MONTANA

HELENA MONTANA 33620

December 5, 1988

Steve Shimek  
Department of Commerce  
1424 9th Avenue  
Helena, MT 59620

## SIGNING HEARINGS

## Summary

The Missoula hearing gathered testimony from the billboard industry, camp-ground owners, and a representative from the Forest Service. Eight people attended.

The signing industry was against the LOGO signing program. They were also concerned about illegal advertising signs and cited the Towe Museum sign near Garrison (too large) and the Lincoln Silver Dollar Bar on I-90.

Campground owners said they couldn't afford large billboards and wanted the LOGO program free. They cannot afford to pay for LOGO signs. They also said that many people were in an area where billboards are not allowed.

The Forest Service wanted a sign on the interstate for their regional headquarters and Fort Missoula.

One of the campground people thought we should have more museum signing on the interstate.

Generally everyone in attendance was in favor of more signing of all kinds. When scenic routes were mentioned, comments were generally positive, but not strongly supportive. Two people thought the LOGO program put the State in direct competition with private companies.

The Great Falls meeting was attended by about 23 people. Business people, Lewis & Clark Trail, Russell Museum, two cities and the billboard industry were represented. Generally everyone was in favor of more signs.

The Lewis and Clark organization requested more signs where possible. Signs at ports-of-entry and rest areas were suggested.



Steve Shimek  
December 5, 1988  
Page 2

The Russell Museum wants more signs and generally thinks existing signs are not a problem.

A comment was made that it should be easier to get a new sign.

Two cities requested specific signs be added for their cities. One also stated that cities should be exempt from the billboard law.

One individual from the billboard industry thought we had too many signs as a driver approaches Great Falls. He didn't feel we should put up additional signs in the form of LOGO's. Another stated some small businesses died because they lost their billboard. The LOGO program didn't do the job.

About 33 people attended the Billings meeting. People that identified themselves represented the billboard industry, private businesses, Custer County and Treasure County.

As before, the billboard industry was for billboards and against LOGO's. It was stated that LOGO's discriminate against downtown businesses and LOGO franchises will have a lot of clout if he also sells billboards.

A complaint was made that the city of Big Timber could not get a billboard and was being "stonewalled."

A need was stated for more signs for smaller communities. The same individual said that LOGO's don't fit the needs of smaller communities.

Testimony was given that the state was more restrictive than <sup>the</sup> <sub>federal</sub> billboard law. This was primary thought to be in "grey" areas.

It was recommended that a scenic route commission be established to select the routes. We discussed that additional traffic would probably not be created, but if the routes were effective would draw traffic from other routes.

As we expected, we got a large percentage of attendees at all three meetings from industry and they strongly supported billboards. The general idea being that the rules are too stringent and should be relaxed where possible. At the same time they were mostly against the LOGO program, although there was one exception where a campground owner wanted them free.

#### Conclusions

Even though we had no testimony in favor of LOGO's we know the national chains support them. In fact, the program seems to favor them since they have well recognized symbols and/or names. The Mom and Pop operations are less likely to benefit from the program.



Steve Shimek  
December 5, 1988  
Page 3

The LOGO program appears to be suitable for our larger cities, but not rural areas. For example, a place the size of Big Timber doesn't have a national food chain. Gas and lodging LOGO's would be of questionable value. The existing service signs probably provide just as good service for rural areas and smaller cities and they are free.

In any event, the DOH would not oppose a LOGO program if it is determined to benefit our tourist industry.

The scenic route issue was not strongly supported by anyone, but people were generally in favor of the concept. Since route selection could be a controversial subject, a committee is necessary to establish the routes. These routes could draw traffic off of alternate routes and cause some negative effects. This must be considered in the final report.

Kiosks in rest areas have some potential for providing advertising space. Decisions on content and management need to be reached.

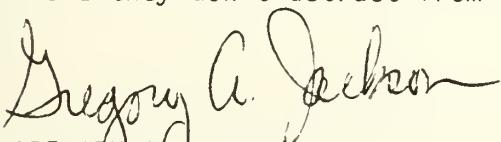
TODS are a viable way to fill the gap we presently have between billboards and official highway signs. These would help in particularly difficult areas, such as near Glacier Park. The DOH supports a TODS program for Montana, although the program would require special approval from the FHWA.

Highway Advisory Radio Systems (HARS) would have some promotional potential for communities and the state. The message could contain much more information than a sign. The program would have to be designed to be easy for the communities to implement and the issue of licensing and funding must be addressed.

There does seem to be considerable interest in signing museums. The DOH has relaxed the requirements for obtaining these, and many more qualify under the new guidelines.

It's important to remember every sign that is added to the interstate mainline must also be added to the ramp.

The DOH is in favor of installing additional signs, but only to the point where they don't detract from the more important ones.

  
GREGORY A. JACKSON, P.E.  
MANAGER - TRAFFIC UNIT

GAJ:mb:5/ff



APPENDIX FOUR

75-15-111



(b) the release did not emanate from any vessel, vehicle, or facility over which the party had any authority or control and was not caused by any action or omission of the party; or

(c) in the case of assessment of punitive damages, that factors beyond the control of the responsible party prevented the party from taking timely remedial action.

(5) (a) Costs of remedial action recovered pursuant to subsection (1)(a) must be deposited in the fund.

(b) Damages and penalties recovered pursuant to subsections (1)(b) and (2) must be deposited in the environmental contingency account within the state special revenue fund established pursuant to 75-1-1101.

**History:** En. Sec. 6, Ch. 711, L. 1985; and, Sec. 11, Ch. 711, L. 1985.

## CHAPTERS 11 THROUGH 14

### RESERVED

### CHAPTER 15

## LANDSCAPE MANAGEMENT

### Part 1 — Outdoor Advertising

Section 75-15-101. Short title.

75-15-102. Policy.

75-15-103. Definitions.

75-15-104. More restrictive regulations preserved.

75-15-105. Relaxation of regulations if federal law changed.

75-15-106 through 75-15-110 reserved.

75-15-111. Outdoor advertising prohibited in proximity to highway — exceptions.

75-15-112. Unlawful advertising.

75-15-113. Standards for permitted advertising.

75-15-114 through 75-15-120 reserved.

75-15-121. Commission rules authorized.

75-15-122. Permits required — identification tags — preexisting structures.

75-15-123. Acquisition of outdoor advertising rights — compensation.

75-15-124. Agreements with secretary establishing specifications for advertising.

75-15-125 through 75-15-130 reserved.

75-15-131. Entry to inspect — notice of unlawful advertising — remedial action.

75-15-132. False application or disrepair of structure — remedial action.

75-15-133. Nonconforming advertising as nuisance.

75-15-134. Violation as misdemeanor.

### Part 2 — Junkyards

75-15-201. Purposes.

75-15-202. Interpretation.

75-15-203. Definitions.

75-15-204. Agreements with the United States.

75-15-205. Junction.

75-15-206 through 75-15-210 reserved.

75-15-211. License required.

75-15-212. Repealed.

75-15-215. Restrictions as to location.

75-15-216 through 75-15-220 reserved.

75-15-221. Repealed.

75-15-222. Rules governing screening.

75-15-223. Authority to acquire interest in land for screening and removal of junkyards, motor vehicle graveyards, motor vehicle wrecking facilities, garbage dumps, and sanitary landfills.

### Part 1

### Outdoor Advertising

**Part Cross-References**  
Montana Administrative Procedure Act —  
adoption of rules, Title 2, ch. 4, part 3.

**History:** En. Sec. 1, Ch. 2, 2<sup>nd</sup> Ex. L. 1971; R.C.M. 1947, 32-4715(b).

**Part 1 — Outdoor Advertising**

**75-15-101. Short title.** This part may be cited as the "Outdoor Advertising Act".

**75-15-102. Policy.** The legislature finds and declares that in order to promote the safety, convenience, and enjoyment of travel on and protection of the public investment in highways within this state and to preserve and enhance the natural scenic beauty or aesthetic features of the highways and adjacent areas, it shall be the policy of this state that the erection and maintenance of outdoor advertising in areas adjacent to the right-of-way of the interstate and primary systems within this state shall be regulated in accordance with the terms of this part and the rules promulgated by the commission pursuant thereto. It is the intention of the legislature in this part to provide a statutory basis for regulation of outdoor advertising consistent with the public policy relating to areas adjacent to the interstate and primary systems declared by congress in Title 23, United States Code, "Highways".

**History:** En. Sec. 1, Ch. 2, 2<sup>nd</sup> Ex. L. 1971; R.C.M. 1947, 32-4715(a).

**75-15-103. Definitions.** As used in this part, the following definitions apply:

(1) "Commercial or industrial activities" means for purposes of subsection (14) those activities generally recognized as commercial or industrial by zoning authorities in this state, except that none of the following activities shall be considered commercial or industrial:

(a) agricultural, forestry, grazing, farming, and related activities, including waiside fresh produce stands;

(b) transient or temporary activities;

(c) activities not visible from the main-traveled way;

(d) activities conducted in a building principally used as a residence;

(e) railroad tracks and minor sidings;

(f) activities more than 660 feet from the nearest edge of the right-of-way.

(2) "Commercial or industrial zone" means an area which is used or intended for the conduct of commercial or industrial activities.



zoning ordinances or regulations or enabling state legislation or state legislation itself, including highway service areas lawfully zoned as highway service zones, where the primary use of the land is or is reserved for commercial auto roadside services, other than outdoor advertising, to serve the traveling public. Areas temporarily zoned as commercial or industrial by an interim regulation or map adopted as an emergency measure pursuant to 76-2-206 shall not be considered as covered by this definition.

(3) "Commission" means the highway commission of Montana.

(4) "Department" means the department of highways.

(5) "Information center" means an area or site established or maintained at safety rest areas for the purpose of informing the public of places of interest within the state and providing such other information as the commission may consider desirable.

(6) "Interchange" or "intersection" means those areas and the approaches where traffic is channeled off or onto an interstate route, including the deceleration lanes or acceleration lanes from or to another federal, state, county, city, or other route.

(7) "Interstate system" means that portion of the national system of interstate and defense highways located within this state as officially designated or as may hereafter be so designated by the commission and approved by the secretary pursuant to the provisions of Title 23, United States Code, "Highways".

(8) "Maintain" means to allow to exist, subject to the provisions of this part.

(9) "Maintenance" means to repair, refurbish, repaint, or otherwise keep an existing sign structure in a state suitable for use.

(10) "Outdoor advertising" means any outdoor sign, display, light, device figure, painting, drawing, message, plaque, poster, billboard, or other structure which is designed, intended, or used to advertise or inform and which is visible from any place on the main-traveled way of the interstate or primary systems.

(11) "Primary system" means that portion of connected main highways officially designated or as may hereafter be so designated by the commission and approved by the secretary pursuant to the provisions of Title 23, United States Code, "Highways".

(12) "Safety rest area" means an area or site established and maintained within or adjacent to the right-of-way, by or under public supervision or control, for the convenience of the traveling public.

(13) "Secretary" means the secretary of the United States department of transportation.

(14) "Unzoned commercial or industrial area" means an area not zoned by state or local law, regulation, or ordinance which is occupied by one or more industrial or commercial activities, other than outdoor advertising, on the lands along the highway for a distance of 600 feet immediately adjacent to the activities and those lands directly opposite on the other side of the highway to the extent of the same dimensions and to a maximum depth of 600 feet when measured from the highway right-of-way; provided those lands on the opposite side of the highway are not deemed scenic or having aesthetic value in which the commercial or industrial activity used in defining the area has

(15) "Urban area" means an urbanized area or place, as designated by the United States bureau of the census, having a population of 5,000 or more and within boundaries fixed by the department of highways, which boundaries shall as a minimum encompass the entire urban place designated by said bureau of the census.

(16) "Visible" means capable of being seen and legible without visual aid by a person of normal visual acuity.

History: (1) thru (3), (5) thru (16) En. Sec. 2, Ch. 2, 2nd Ex. L. 1971; and, Sec. 1, Ch. 89, L. 1974; and, Sec. 1, Ch. 216, L. 1975; (4) En. by Code Commissioner, 1979; R.C.M. 1947, 32-4716.

**75-15-104. More restrictive regulations preserved.** Nothing in this part shall be construed to abrogate or affect the provisions of any lawful ordinance, regulation, or resolution which is more restrictive than the provisions of this part.

History: En. Sec. 11, Ch. 2, 2nd Ex. L. 1971; R.C.M. 1947, 32-4725.

**75-15-105. Relaxation of regulations if federal law changed.** In the event the general requirements of Title 23, United States Code, "Highways", or existing rules and regulations of the United States department of transportation become amended or changed to less restrictive conditions than presently exist, then the commission must amend or change such rules that it may have adopted to come into conformity with the federal law, rule, and regulation; however, in no event shall this part become more restrictive than is indicated herein by said federal action.

History: En. Sec. 12, Ch. 2, 2nd Ex. L. 1971; R.C.M. 1947, 32-4726.

#### 75-15-106 through 75-15-110 reserved.

**75-15-111. Outdoor advertising prohibited in proximity to highway — exceptions.** (1) Outdoor advertising may not be erected or maintained which is within 660 feet of the nearest edge of the right-of-way and which is visible from any place on the main-traveled way of an interstate or primary system except:

(a) directional and other official signs and notices, which signs and notices include but are not limited to signs and notices pertaining to natural wonders and scenic and historical attractions, as authorized or required by law;

(b) signs, displays, and devices advertising the sale or lease of property upon which they are located;

(c) signs, displays, and devices advertising activities conducted on the property upon which they are located;

(d) signs, displays, and devices located in areas which are zoned industrial or commercial by a bona fide state, county, or local zoning authority;

(e) signs, displays, and devices located in unzoned commercial or industrial areas, which areas shall be determined from actual land uses and by agreement between the department of highways and the secretary and defined by rules adopted by the commission. The exception granted by this subsection shall not apply to signs, displays, and devices located within an unzoned area in which the commercial or industrial activity used in defining the area has



(f) signs or displays advertising the cultural exhibits of nonprofit historical or arts organizations if the signs or displays conform with the standards provided in Title 23, Code of Federal Regulations, section 750, subpart B.

(2) Outdoor advertising authorized under subsections (a), (d), and (e) of (1) of this section shall conform with standards contained in and shall bear permits required in rules which are adopted by the commission and this part.

(3) Outdoor advertising may not be erected or maintained beyond 660 feet of the nearest edge of the right-of-way of an interstate or primary highway outside of an urban area if such outdoor advertising is or was erected with the purpose of its message being read from such main-traveled way and visible from such main-traveled way unless such outdoor advertising meets the criteria of subsections (a), (b), or (c) of (1) of this section. Should such outdoor advertising meet said criteria, it shall conform with standards contained in rules which are adopted by the commission and this part.

**History:** En. Sec. 3, Ch. 2, 2<sup>nd</sup> Ex. L. 1971; and Sec. 160, Ch. 316, L. 1974; amd. Sec. 2, Ch. 216, L. 1975; R.C.M. 1947, 32-4717; and. Sec. 1, Ch. 497, L. 1981.

**Compiler's Comments** Inserted subsection (1)(f).

#### 75-15-112. Unlawful advertising.

Outdoor advertising is unlawful:

- (1) when erected after June 24, 1971, contrary to this part or erected after June 24, 1971, beyond 660 feet of the nearest edge of the right-of-way of an interstate or primary highway outside of an urban area with the purpose of its message being read from such main-traveled way and visible from such main-traveled way, unless such outdoor advertising meets the criteria of subsections (a), (b), or (c) of 75-15-111(1);
- (2) when a permit is not obtained as prescribed in this part; or
- (3) when a permittee fails to comply with a notice of violation as provided in 75-15-132.

**History:** En. Sec. 8, Ch. 2, 2<sup>nd</sup> Ex. L. 1971; and. Sec. 3, Ch. 89, L. 1974; amd. Sec. 165, Ch. 316, L. 1974; and. Sec. 5, Ch. 216, L. 1975; and. Sec. 4, Ch. 234, L. 1977; R.C.M. 1947, 32-4722(1).

**75-15-113. Standards for permitted advertising.** Except for outdoor advertising beyond 660 feet of the nearest edge of the right-of-way of an interstate or primary highway outside of an urban area, outdoor advertising permitted under subsections (1)(d) and (1)(e) of 75-15-111 shall conform to the following requirements:

- (1) Signs may not be erected or maintained which exceed 1,200 square feet in area, including border and trim but excluding base or apron, supports, and other structural members.
- (2) Maximum length, 60 feet.
- (3) Maximum height, 40 feet as measured from the ground or, if the sign is attached to a structure, as measured from the base of the sign itself.
- (4) No more than two facings visible and readable from the same direction on the main-traveled way may be erected on any one sign structure. Whenever two facings are so positioned, neither shall exceed 325 square feet.
- (5) Double-faced, back-to-back, and V-type signs shall be considered as a single sign or structure.
- (6) Where two or more faces, back to back, are supported by separate

(7) No two signs shall be spaced less than 500 feet apart adjacent to an interstate highway or limited-access primary highway, except that signs may be erected closer than 500 feet if they are separated by buildings or other obstructions in such a manner that only one sign facing located within the above spacing distance is visible from the highway at any one time.

(8) Signs may not be located within 500 feet of any of the following which are adjacent to the highway unless the signs are in an incorporated area:

- (a) public parks;
- (b) public forests;
- (c) public playgrounds;
- (d) scenic areas designated as such by the highway department or other state agency having and exercising this authority;
- (e) cemeteries.

(9) A sign may not be located on an interstate highway or freeway within 500 feet of an interchange or intersection at grade or rest area. The 500 feet is to be measured along the interstate or freeway from the beginning or ending of the pavement widening at the exit from or entrance to the main-traveled way.

(10) Signs may be illuminated, subject to the following restrictions:

- (a) Signs which contain, include, or are illuminated by a flashing, intermittent, or moving light or lights are prohibited, except those giving public service information such as time, date, temperature, weather, or similar information.
- (b) Signs which are not effectively shielded as to prevent beams or rays of light from being directed at a portion of the traveled ways of the interstate or federal-aid primary highway or which are of such intensity or brilliance as to cause glare or to impair the vision of the driver of any motor vehicle or which otherwise interfere with a driver's operation of a motor vehicle are prohibited.
- (c) A sign may not be so illuminated that it interferes with the effectiveness of or obscures an official traffic sign, device, or signal.

(11) The location of sign structures situated on the primary highways between streets, roads, or highways entering or intersecting the main-traveled way shall conform to the following minimum spacing criteria:

- (a) Where the distance between centerlines of intersecting streets or highways is less than 1,000 feet, a minimum spacing between structures of 150 feet may be permitted between the intersecting streets or highways.
- (b) Where the distance between centerlines of intersecting streets or highways is 1,000 feet or more, minimum spacing between sign structures shall be 300 feet.

**History:** En. Sec. 5, Ch. 2, 2<sup>nd</sup> Ex. L. 1971; and. Sec. 2, Ch. 89, L. 1974; and. Sec. 162, Ch. 316, L. 1974; and. Sec. 3, Ch. 216, L. 1975; R.C.M. 1947, 32-4719; and. Sec. 1, Ch. 45, L. 1979.

#### 75-15-114 through 75-15-120 reserved.



this part and in conformity with section 131 of Title 23, United States Code, as amended.

*History:* En. Sec. 4, Ch. 2, 2nd Ex. L. 1971; and. Sec. 161, Ch. 316, L. 1974; R.C.M. 1947, 32-4718.

**75-15-122. Permits required — identification tags — preexisting structures.** (1) A sign authorized by subsections (a), (d), and (e) of 75-15-111(1) may not be constructed or maintained without a permit. Applications for permits shall be made to the department on forms furnished by it. The department shall require reasonable information to be furnished including a statement that the owner or occupant of the land has consented to the erection or maintenance of the sign on the land. A permit must be obtained for each sign, and the application for the permit must be accompanied by an initial fee of \$6.

(2) Permits shall be issued for 3 years, assigned a permit number, and renewed every 3 years thereafter upon payment of \$3 without the filing of a new application. All fees received shall be paid into the highway account in the state special revenue fund.

(3) The department shall issue with each new permit a permanent identification tag not larger than 36 square inches which shall be affixed to the sign in a position readily visible from the highway.

(4) Notwithstanding the foregoing provisions of this section, the department shall issue permits and identification tags upon application and payment of the requisite fee for a structure lawfully in existence on June 23, 1971, and the permits shall thereafter be renewed for a period of time as is prescribed in this section unless the structure is removed for improper maintenance.

(5) Notwithstanding the foregoing provisions of this section, the department shall issue permits and identification tags upon application and payment of the requisite fee for outdoor advertising lawfully in existence on June 23, 1971, and made nonconforming by virtue of 75-15-111(3), and the permits shall thereafter be renewed for a period of time as is prescribed in this section unless the structure is removed for improper maintenance.

*History:* En. Sec. 6, Ch. 2, 2nd Ex. L. 1971; and. Sec. 163, Ch. 316, L. 1974; and. Sec. 1, Ch. 27, L. 1983; and. Sec. 4, Ch. 216, L. 1975; R.C.M. 1947, 32-4720; and. Sec. 1, Ch. 27, L. 1983.

**Compiler's Comments**  
*1983 Amendment:* Substituted reference to state special revenue fund for reference to earmarked revenue fund.

**75-15-123. Acquisition of outdoor advertising rights — compensation.** (1) The department may acquire by gift, purchase, agreement exchange, or eminent domain existing outdoor advertising and property rights pertaining to advertising that was lawfully in existence on June 24, 1971, and which by virtue of 75-15-111(1) is nonconforming. Eminent domain shall be exercised in accordance with the laws of the state.

(2) Just compensation shall be paid for outdoor advertising and property rights pertaining to the advertising acquired through the process of eminent domain. The department may remove outdoor advertising found in violative

(3) Except as provided in 75-15-131 and 75-15-132, a sign may not be required to be removed unless at the time of removal or discontinuance there are sufficient funds, from whatever source, appropriated and immediately available to pay the just compensation required under this section and unless at that time the federal funds required to be contributed under section 131(g) of Title 23, United States Code, with respect to the outdoor advertising being removed have been apportioned and are immediately available to this state.

*History:* En. Sec. 9, Ch. 2, 2nd Ex. L. 1971; and. Sec. 166, Ch. 316, L. 1974; and. Sec. 6, Ch. 216, L. 1975; R.C.M. 1947, 32-4723(part); and. Sec. 14, Ch. 68, L. 1979.

**Cross-References**  
Acquisition of property by eminent domain, 70-30-103.

**75-15-124. Agreements with secretary establishing specifications for advertising.** The department may enter into an agreement with the secretary regarding the size, lighting, and spacing of outdoor advertising, as provided in this part, which may be erected and maintained within the areas adjacent to the interstate and primary highway system which are zoned commercial, industrial, or in such other unzoned commercial or industrial areas as may be determined by agreement and as provided in this part.

*History:* En. Sec. 10, Ch. 2, 2nd Ex. L. 1971; and. Sec. 167, Ch. 316, L. 1974; R.C.M. 1947, 32-4724.

**75-15-125 through 75-15-130 reserved.**

**75-15-131. Entry to inspect — notice of unlawful advertising — remedial action.** (1) The department may enter upon lands bearing outdoor advertising and make examination of such advertising.

(2) The department shall give notice in writing, either by certified mail or by personal service, to the owner or occupant of the land on which advertising believed to be unlawful is located and to the owner of the outdoor advertising structure if the latter is known or, if unknown, by posting notice in a conspicuous place on the structure of its intention to remove the unlawful advertising. Within 45 days after the notice, the owner of the land or of the structure may make a written request for a hearing before the commission to show cause why the structure should not be removed.

(3) If a hearing before the commission is not requested or if there is no appeal taken from the commission's decision at the hearing or if the commission's decision is affirmed on appeal, the department shall immediately remove or cause to be removed the unlawful outdoor advertising. The department may, upon final determination by the commission that an item of outdoor advertising is unlawful, enter upon lands bearing such advertising and remove the unlawful advertising.

(4) The owner of the structure and the owner or occupant of the land are jointly and severally liable for the costs of the removal.

*History:* En. Sec. 8, Ch. 2, 2nd Ex. L. 1971; and. Sec. 3, Ch. 89, L. 1974; and. Sec. 165, Ch. 316, L. 1974; and. Sec. 5, Ch. 216, L. 1975; and. Sec. 4, Ch. 234, L. 1977; R.C.M. 1947, 32-4722(2), (3).

**75-15-132. False application or disrepair of structure — remedial**



statement has been made in the application for a permit or that the structure for which a permit was issued is not in a reasonable state of repair or is unsafe, the department shall notify the holder of the permit in writing, either by certified mail or by personal service, of the violation and specify that remedial action shall be taken within 60 days or the permit will be revoked and action for removal of the sign commenced as provided in 75-15-131. Notice is required prior to filing a complaint after the notice period has lapsed.

History: En. Sec. 7, Ch. 2, 2nd Ex. L. 1971; and. Sec. 164, Ch. 316, L. 1974; R.C.M. 1974.

12-4721.

**75-15-133. Nonconforming advertising as nuisance.** All outdoor advertising which does not conform to the requirements of this part is a public nuisance.

History: En. Sec. 16, Ch. 2, 2nd Ex. L. 1971; and. Sec. 3, Ch. 140, L. 1977; R.C.M. 1974.

12-4722.

Cross-References

Public nuisance, 27-30-102, 45-8-111.

**75-15-134. Violation as misdemeanor.** Any person violating any provision of this part is guilty of a misdemeanor.

History: En. Sec. 15, Ch. 2, 2nd Ex. L. 1971; R.C.M. 1974, 32-4727.

Cross-References

No penalty specified, 46-18-212.

**75-15-203. Definitions.** As used in this part only, the following definitions apply:

(1) "Interstate system" means that portion of the national system of interstate and defense highways located within this state as officially designated or as may hereafter be so designated by the state highway commission and approved by the secretary of transportation pursuant to the provisions of Title 23, United States Code, "Highways".

(2) "Junk" means old or scrap copper, brass, rope, rags, batteries, paper, trash, rubber debris, or waste; iron, steel, and other old or scrap ferrous or nonferrous material.

(3) "Junkyard" means any establishment or place of business which is maintained, operated, or used for storing, keeping, buying, or selling junk, excluding a motor vehicle graveyard or motor vehicle wrecking facility which is regulated under Title 75, chapter 10, part 5, and excluding a garbage dump or sanitary landfill which is regulated under Title 75, chapter 10, part 2.

(4) "Primary system" means that portion of connected main highways as officially designated or as may hereafter be so designated by the commission and approved by the secretary of transportation pursuant to the provisions of Title 23, United States Code, "Highways".

History: En. Sec. 2, Ch. 285, L. 1967; R.C.M. 1974, 32-4514; and. Sec. 1, Ch. 340, L. 1983.

Compiler's Comments

1983 Amendment: Deleted former (1), which from definition "junked, dismantled, or wrecked automobiles (or parts thereof)"; in (3) after "or selling junk" deleted "or for the maintenance or operation of an automobile graveyard or a garbage dump or sanitary fill"; and inserted final "excluding" phrase.

## Part 2

### Junkyards

Part Cross-References

Motor vehicle recycling and disposal, Title 75, ch. 10, part 5.

**75-15-204. Agreements with the United States.** The department of highways may enter into agreements with the United States secretary of transportation as provided in Title 23, United States Code, relating to the control of junkyards in areas adjacent to the interstate and primary systems and take action in the name of the state to comply with the terms of those agreements.

History: En. Sec. 10, Ch. 285, L. 1967; and. Sec. 159, Ch. 316, L. 1974; R.C.M. 1974, 32-4522.

**75-15-205. Injunction.** The department of highways may apply to the circuit court for the county in which is located any junkyard not conforming to the requirements of this part for an injunction to abate such nuisance.

History: En. Sec. 9, Ch. 285, L. 1967; and. Sec. 158, Ch. 316, L. 1974; R.C.M. 1974, 32-4521.

Cross-References

Injunctions, Title 27, ch. 19.

### 75-15-206 through 75-15-210 reserved.

Public nuisance, 27-30-102, 45-8-111.

Cross-References

Right to clean and healthful environment, Art. II, sec. 3, Mont. Const.

**75-15-211. License required.** No person shall establish, operate, or maintain a junkyard, any portion of which is within 1,000 feet of the nearest edge of the right-of-way of any interstate or primary highway, without obtaining a license.



APPENDIX FIVE  
AGENCY RECOMMENDATIONS



**Montana Department  
of  
Fish, Wildlife & Parks**



Helena, MT 59620  
December 14, 1988

Mr. Steve Shimek  
Montana Promotion Division  
Department of Commerce  
Helena, MT 59620

Dear Mr. Shimek:

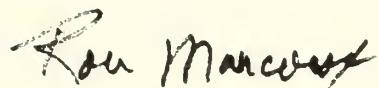
The Department of Fish, Wildlife & Parks recognizes that, following the Highway Department, it may be the second most prolific state agency in the use of highway signs, and would like to submit the following recommendations to the interdepartmental committee which has been looking at highway signing:

The efforts of the Department of Fish, Wildlife & Parks and the Highway Department to work in cooperation on placement of signing our sites have worked quite well and have resulted not only in better directional signing to those sites, but also in the simplification of the process of getting signs into place. We would encourage the continuation of these efforts and the development of uniform statewide standards for the location of future directional signs for department sites.

In addition, while the department's highway signing efforts have been largely self-funded, we feel that the traveling public derives a great deal of use from our sites and that in many cases these sites are visitor destinations. We feel, therefore, that it would be appropriate for the Highway Department to contribute to the efforts to provide for interstate signing to our major parks and recreation areas.

We appreciate the opportunity to provide input into this process.

Sincerely,

A handwritten signature in black ink, appearing to read "Ron Marcoux".

Ron Marcoux  
Associate Director

RM/sa



# State Historic Preservation Office

## Montana Historical Society

Mailing Address: 225 North Roberts • Helena, MT 59620-9990

Office Address: 102 Broadway • Helena, MT • (406) 444-7715

December 5, 1988

### FINAL MONTANA HISTORICAL SOCIETY RECOMMENDATIONS FOR HIGHWAY SIGNS

#### Premises:

In our great rush to have tourism bolster Montana's economy, we have every reason to tailor the way we advertise, what we advertise, where we direct visitors, and how many visitors we seek to Montana's distinctive character and to a system by which the resources we love and visitors enjoy will endure. We do not, in short, need to sell our soul to get folks to spend money.

In the context of signing, we then have every reason to make sure that our signs (or other forms of directional information) are distinctive to our state and our spectacular character and to make certain that we do not encourage either the image or the reality of nationwide chain businesses to the exclusion of distinctive Montana businesses in distinctive buildings. When we talk to Montana businessman or small historical societies--advocating care of our historic buildings, objects, books, art, photographs--we point out that Montana has what Hollywood (or more accurately, Ted Turner) tries so hard to create. Presumably then that real Montana character is the asset we have most to offer visitors when they choose places to stay, to eat, to picnic, to shop. Our signs--or signing with other forms of directional information--can be used to improve visitor's perceptions of that real West or can stack the decks against their finding it.

#### Summary:

1. The 1987 Museum Signing policy developed by MDOH is good. We recommend that it be publicized and explained systematically to museums around the state.
2. We recommend the use of the Tourist Oriented Directional Signing (TODS) program for "other facilities" that do not qualify for brown and white signing paid for by the state.
3. We recommend the use of radio loops with historical theme introductions as a way to invite visitors into communities and direct them efficiently to visitor information centers.
4. We recommend creation and signing of additional scenic/rustic road systems around the state.
5. We recommend creation of a Montana State Sign Commission--comprised of sign industry, state and local historical and natural resource organizations, MDOH,



MHS, FWP, and Commerce staff to finalize criteria and categories recommended by this study--and to review, as needed, glitches in the system.

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### **Elaboration**

1. The 1987 MDOH Museum signing policy should address many of the requests and concerns that we have heard from both actual museums and historic sites open for public interpretation. But we don't think that the museum and historic site world is aware of the newer policy and what it offers. We also suspect that the exceptions in the billboard regulations available to cultural institutions are not well-known or accurately understood. Hence, rather than needing to propose any really new policy for use of brown and white highway signs, we recommend only that the existing policies be written up clearly and distributed systematically to all historical museums and sites. The only real change in the existing Museum Signing Policy that appears useful would be a definition of what constitutes a museum. We recommend that the definition include National Register listed historic sites--meeting all the other stated premises--that are interpreted for the public. When a package of information is available for local historical societies and museums, the Montana Historical Society would be glad to help in distributing it.

2. The TODS program seems to be perfect for historic sites and museums that are not owned by a unit of government and not located on public highways. The cost of that signing and the concept of that system appear to serve the public's need for clear consistent information and museum/site's need for better advertisement.

In order for the TODS system to work at all, the kinds of places that qualify for TODS signing should be clearly set forth--recommended during this study effort and finalized or approved by a State Sign Commission.

Second, clear, detailed information on how to get a TODS sign then needs to be distributed also.

We recommend that the following kind of places be able to apply and pay for a TODS sign:

- historic sites or museums open to the public at least seasonally 20 hours a week or more, run by a for profit or non profit organization;
- Montana industries with regularly scheduled tours for the public;
- Montana made gift shops in distinct public space, operating with regularly scheduled hours, seasonally open at least 20 hours per week;

We recommend only cautious considerationn of expansion to that system--perhaps including antique shops, other book stores, etc. after trial of a more limited system for awhile.



3. For all the communities that want better highway notice and all the instances in which brown and white signing and TODS won't quite fit, the use of radio loops seems the best, least visually disruptive, most educational solution. We will never be able to put up signs to all locations; we wouldn't want to for the visual consequences even if we could. We can't really direct visitors to all conceivable locations with signs. So, the well-orchestrated and monitored use of radio loops appears to us the very best solution. We envision that this study and the Signing Commission can adopt policies and incentives for the proper use of loops, identify applicable themes for areas/communities, offer workshops and dollar incentives for professional development of historical introductions, provide written guidance for what will make a loop attractive; create a slick way to get regions to use their bed tax money for needed equipment, etc.

In short, while this appears to be a way to get distinctive, clear directional information to visitors with no loss of scenic integrity, we think it will need active state assistance to be good. A sequence of bad local tapes and nonfunctioning equipment will doom the program. But it does seem possible to offer a combination of state guidance and education with some creative ways to insure the use of regional bed tax money for the widespread, good use of radio loops.

4. Even recognizing how difficult it will be to select particular scenic and rustic roads, we think it is worth the try. Given the Historical Society's state mandate, we have a particular interest in the creation of a system of "rustic" corridors--important as much for their revealing of early construction and/or historic settings as their scenery. We believe that a system of scenic and rustic roads should be fairly exclusive; that our literature can indicate to visitors both the exceptional quality of the designated roads and the fact that every road in Montana is scenic and historic; that such a system may benefit the self-consciousness and knowledge of Montanans as much as visitors.

We recommend that this study develop draft criteria, and that the Sign Commission finalize it, clarify it, and arbitrate disputes as needed.

5. The use of the Sign Commission and its composition should be as described above. If we anticipate that the legislature will be reluctant to create a new Commission, we could recommend that a Sign Commission become an adjunct to the state tourism council--albeit with the same spread of representation. In our judgment, the Commission also needs a paid staff person to carry out the newly created policies and its directions.

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#### **Issues really beyond our area of expertise:**

We hear no real support for the LOGO program and aren't that attracted to it either. In our judgment, it actively encourages the loss of Montana's distinctive image and distinctive businesses.

Even with MDOH's little leaflet on getting signs, we wonder whether more explicit information, more detailed info might help the private sector.







6003

April 4, 1991

Mr. Gordon Larson, Chairman  
Highway Sign Committee  
Montana Department of Highways  
2701 Prospect  
Helena, Montana 59620

Dear Mr. Larson:

Since neither of us finds it possible to catch each other in our respective offices, I am writing this letter in response to the verbal message received several days ago.

I was of course discouraged by the decision of the Highway Sign Committee which, according to the note, thought the library sign is, "not a good idea," and, "not of vital interest to the traveling public." Other quotes from the note indicate the sign is, "more a local interest." I understand that I will be receiving a letter to this effect. However, I decided not to wait until that letter arrived for several reasons:

- I wanted to get you a response as soon as possible, listing my concerns with the decision of the Committee.
- I disagree with the opinions expressed by the Committee:

The identification of whether a local community has a public library (or other type of library) is of vital interest to the traveling public. Often these libraries are the one place a traveler can stop for a variety of information. This is especially important in our society which has entered the "information age." No one needs to cite the success of a nation such as Japan, with few natural resources, but which has exploited its educational and informational resources to the fullest.

The signs are not for "local interest." In fact, the locals probably know where the library is located, or at least that there is one in the town in which they reside. It is for people traveling by, that the signs are intended. Just think of the convenience for a traveler who wants to know where the local motels are located, or a telephone number in another state, or a myriad of other facts that can only be provided in a local library, unless the traveler wants to chase all over town seeking



this information from several sources, none of which will have it all in one place as the library will.

- It was my understanding that I (and perhaps other librarians, trustees, citizens, etc.) would be given an opportunity to make our case before the Committee. I put this on hold because you were gone for the six-month staff exchange, but it was my understanding that you and I would speak after you had returned and that at least I would meet with the Committee to present information.

This letter constitutes my official request for the Highway Sign Committee to reconsider its decision on the library sign, and to allow me (and others, if the Committee desires) to appear before the Committee to offer additional information.

Thank you for your consideration of this request.

Sincerely,

Richard T. Miller, Jr.

cc Mary Doggett



# DEPARTMENT OF HIGHWAYS



STAN STEPHENS, GOVERNOR

2701 PROSPECT AVE.

STATE OF MONTANA

HELENA, MONTANA 59620

May 9, 1991

Richard T. Miller, Jr.  
State Librarian  
Montana State Library  
1515 E. 6th Avenue  
Helena, MT 59620

**Subject: Library Signs**

This is in response to your request for approval of the use of the informational symbol sign for libraries on roadways within our jurisdiction. It is the recommendation of our Sign Committee that this sign should not be put into large scale use on our facilities. Even though it exists in the manual and is available for use, it is considered a low priority sign in the ranking of necessary operation information needs of highway users. There is a tremendous amount of traffic control and guidance information that must be communicated to the driver population as it passes through a community. It is necessary to keep that information to a controlled level to maintain effective recognition of the traffic control devices being used.

We prioritize guide signing relative to the amount and type of traffic generated. Most city or county libraries can generate a substantial amount of daily traffic volume. However, that traffic volume is made up of predominantly repeat and familiar users who do not require guide signing. Therefore, we feel that this sign does not have a high informational value to most road users within a community.

A handwritten signature in cursive ink that reads "Gordon L. Larson".

Gordon L. Larson, P.E., Administrator  
Engineering Division

GLL:DPD:D:TR:29.si

cc: G. L. Larson

D. S. Johnson

C. S. Peil

W. S. Strizich - *mt*

D. J. Unsworth - *1*

D. P. Dusek - *62*

